

DRAFT SI REPORT

Constitutional and Legislative Affairs Committee Draft Report

CLA(4)-08-13

CLA229 - The CRC Energy Efficiency Scheme Order 2013

Procedure: Affirmative

This Order establishes in the United Kingdom an emissions trading scheme in respect of greenhouse gases under sections 44, 46 (3), 49 and 90 (3) of and Schedule 2 and paragraph 9 of Schedule 3 to the Climate Change Act 2008. It applies to direct and indirect emissions from supplies of electricity and gas by public bodies and undertakings.

Technical Scrutiny

The following points are identified for reporting under Standing Order 21.2 in respect of this instrument:

- 1. That it is not made or to be made in both English and Welsh (Standing Order 21.2 (ix))*
- 2. There is an incorrect cross-reference in Article 3 and Paragraph 2 of Schedule 9. "Local Authority" is defined in both these provisions as having the same meaning it has in paragraph 52 of Schedule 1 to the Freedom of Information Act 2000. The reference should be to Paragraph 7. (Standing Order 21.2 (vi) that its drafting appears to be defective).*

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3(ii) in respect of this instrument .

Legal Advisers
Constitutional and Legislative Affairs Committee

March 2013